

CHICAGO LAWYER

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INSIDE OUT

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hat does it mean to partner with the business?

Martini: From this frame of reference, what

this means is working hand in hand with in-house counterparts to effectively work through and manage both the legal and business aspects of a project.

Whether our client contact is in the legal department or is a business person, it is all about understanding their priorities, objectives, strengths, weaknesses, pressure points and best- and worst-case scenarios. It is also understanding that how each of these is defined for the client corporation may be different from how our main contacts at the company choose to define them.

Susler: As an in-house attorney, I define it as becoming an integral part of the business teams, a valued partner in operations, development and strategy. I work as closely with our business teams as possible, from senior-most leadership on down, so that I learn as much as possible about every aspect of the business, including how our factories operate, what our customers' products are and our overall industry landscape. The greater my understanding of these details and the big picture makes me a better lawyer for my company, and a more valued and trusted partner for my colleagues.

What are the most important steps you take to ensure a successful partnership?

Martini: First, it is critically important to understand the players at the client who are involved in the matter, what their roles are, where their interests lie and what makes them tick. You also need to understand where your client contact fits into the mix and how others in the company view him or her. This information will help in assessing the political landscape and how best to navigate through it.

Second, you need to communicate with your client early and often so that you are getting updates on the matter in real time and so that you can course correct as needed. You also need to understand what your role is in the matter from your client's point of view, and how they would define success as far as your involvement is concerned.

Susler: Take the time to get to know not only your company's business and how it works, but also get to know your business colleagues, what their roles are, what their concerns are and what each needs to do his or her job successfully. Proactively demonstrate your interest and how you can help. Follow through and then follow



PARTNERING WITH THE BUSINESS

Becoming a true partner is more than just doing the work
by **CHRISTINA L. MARTINI** and **DAVID G. SUSLER**

up with your business teams.

Your specific task may be complete, and the contract negotiated and executed, but if you take the initiative to follow up with the responsible business folks and keep track of the progress, they will appreciate it.

What are some pitfalls?

Martini: We may have issues if we are not picking up on the cues that our client is giving us, either directly or indirectly, about how they feel the situation would best be handled. Since the correct legal answer may not always align with how the client wants a situation to turn out, we need to be clear on the client's position so that we can adjust our approach accordingly.

As part of that, we need to understand that if we find that the answer is no when the client has already decided to move forward, we should then quickly shift the conversation to one about risk mitigation, rather than just saying no. We need to remember that ultimately it is not our business decision to make.

Susler: Two major pitfalls are ignoring the client's business needs and thinking Legal has all the answers or is the answer. Whether work-

ing on a contract, employment issue or acquisition, in-house counsel risk failure by not recognizing the bigger picture and overall strategic implications of what the business leaders are trying to accomplish. Another pitfall is not visiting your client's place of business, be it an office, factory, retail store or hospital. That is the only way to truly learn how your client's business works and what is ultimately important to them. ^{CL}

Christina L. Martini is a practicing attorney, author and columnist. She is chair of the Chicago intellectual property practice group and the national hiring partner of associate recruiting at DLA Piper and sits on its executive committee. She focuses on domestic and international trademark, copyright, domain name, internet, advertising and unfair competition law.

Martini's husband, **David G. Susler**, is associate general counsel with National Material L.P., a manufacturing company primarily engaged in steel processing and aluminum extrusion. He has a general practice, providing advice, counseling and training to all business sectors and operation.

To submit a question for future columns, e-mail questions.insideout@gmail.com